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P.O. Box 1450, Alexandria, VA 22313-1450

On Oct. 22, 2003
By Diane D. Dunn
Diane D. Dunn

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Attorney Docket No. 0191.210US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Sun Ai Raillard *et al.*

Application No.: 09/920,452

Filed: July 31, 2001

For: Nucleotide Incorporating Enzymes

Examiner: Richard G. Hutson

Art Unit: 1652

SUPPLEMENTAL INFORMATION
DISCLOSURE STATEMENT UNDER 37
CFR §1.97 and §1.98

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The references cited on attached form PTO/SB/08A-B are being called to the attention of the Examiner. Copies of the references are enclosed. It is respectfully requested that the cited information be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

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As provided for by 37 CFR §1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

The cited references were previously cited in the IDS of November 6, 2001, however the Examiner indicated in the Office Action of April 22, 2003 that he did not have the references. Therefore, the publications are being provided with this Supplemental Information Disclosure Statement

This IDS is being filed after the mailing date of the first Office Action and more than three months after the filing date, but prior to the Notice of Allowance or Final Office Action.

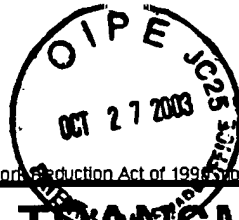
The Commissioner is hereby authorized to charge \$180.00 to Deposit Account No. 50-0990. The Commissioner is hereby authorized to charge any additional fees under 37 CFR §1.17 that may be required and/or credit any overpayment, to Deposit Account No. 50-0990.

Respectfully submitted,

By: 
Sharon M. Fujita
Attorney for Applicant
Reg. No. 38,459

October 22, 2003

MAXYGEN, INC.
Patent Department
515 Galveston Drive
Redwood City, California 94063
Telephone: (650) 298-5421
Facsimile: (650) 298-5446
Customer No: 30560



Approved for use through 04/30/2003. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$180.00)

Complete if Known

Application Number	09/920,452
Filing Date	July 31, 2001
First Named Inventor	Sun Ai Raillard et al.
Examiner Name	Richard G. Hutson
Art Unit	1652
Attorney Docket No.	0191.210US

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METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account

Deposit
Account
Number
Deposit
Account
Name

50-0990

Maxygen, Inc.

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments
☒ Charge any additional fee(s) during the pendency of this application
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 750	2001 375	Utility filing fee	
1002 330	2002 165	Design filing fee	
1003 520	2003 260	Plant filing fee	
1004 750	2004 375	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1) (\$)			

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	-20** =	X 18	
Multiple Dependent	-3** =	X 86	

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 84	2201 42	Independent claims in excess of 3
1203 280	2203 140	Multiple dependent claim, if not paid
1204 84	2204 42	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 410	2252 205	Extension for reply within second month	
1253 930	2253 465	Extension for reply within third month	
1254 1,450	2254 725	Extension for reply within fourth month	
1255 1,970	2255 985	Extension for reply within fifth month	
1401 320	2401 160	Notice of Appeal	
1402 320	2402 160	Filing a brief in support of an appeal	
1403 280	2403 140	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,300	2453 650	Petition to revive - unintentional	
1501 1,300	2501 650	Utility issue fee (or reissue)	
1502 470	2502 235	Design issue fee	
1503 630	2503 315	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	180
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 750	2809 375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 750	2810 375	For each additional invention to be examined (37 CFR 1.129(b))	
1801 750	2801 375	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$180.00)

SUBMITTED BY

(Complete if applicable)

Name (Print/Type)	Sharon M. Fujita	Registration No. (Attorney/Agent)	38,359	Telephone	650-298-5421
Signature	<i>Sharon M. Fujita</i>	Date	October 22, 2003		

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, Mail-Stop: , on this date: Oct b r 22, 2003

Typed or Printed Name Diane D. Dunn

Signature

Diane D. Dunn

Date

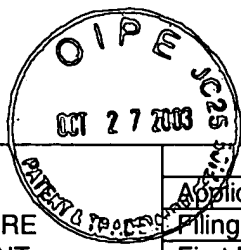
10/22/03



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Substitute for form 1449A-B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)	Complete if Known	
	Application Number	09/920,452
	Filing Date	July 31, 2001
	First Named Inventor	Sun Ai Raillard
	Group Art Unit	1652
	Examiner Name	Richard G. Hutson
	Attorney Docket Number	0191.210US

U.S. PATENT DOCUMENTS						
Examiner Initials	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, lines, Where Relevant Passages or Relevant Figures Appeal
		Number	Kind Code (if known)			

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FOREIGN PATENT DOCUMENTS								
Examiner Initials	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T
		Office	Number	Kind Code (if known)				
	1	WO	98/42832		CalTech	10-01-1998		
	2	WO	98/48034		Diversa Corporation	10-29-1998		
	3	WO	98/58085		Diversa Corporation	12-23-1998		
	4	WO	99/07837		Diversa Corporation	02-19-1999		
	5	WO	99/08539		Diversa Corporation	02-25-1999		
	6	WO	99/10472		Diversa Corporation	03-04-1999		
	7	WO	99/10539		Diversa Corporation	03-04-1999		
	8	WO	99/19518		Diversa Corporation	04-22-1999		
	9	EP	0 911 396-B1		Maxygen, Inc.	09-19-2001		

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



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